

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 90899

John Williams
Wanda Williams

3224 Doycron Court

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on April 27, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-310, 312; Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01.1, failure to remove accumulating trash, junk and debris from residential property.

On April 18, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector David Janiszewski issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$11,200.00 (eleven thousand two hundred dollars).

The following persons appeared for the Hearing and testified: John Williams, Respondent and David Janiszewski, Baltimore County Code Enforcement Officer.

Testimony was presented that, upon complaint sent to the Executive Office, an inspection of the above noted property was carried out on 3/30/11, revealing considerable trash, junk, debris in the yard and porch as well as defective deteriorating gutters and siding and an untagged motor vehicle. In the course of the inspection a vagrant was actually discovered living in the untagged vehicle. He was removed by the police. A Correction notice was immediately issued. A re-inspection took place on 4/18/11. Conditions on the property were unchanged and a citation was issued, mailed and posted. A pre-hearing inspection was carried out on 4/25/11, revealing that the untagged vehicle had been

removed and a portion of the junk and debris was no longer there. Respondent testified that no one has lived in the property since 2008 and he had only become aware of the violations in the last few days. It is the continuing and proactive responsibility of an owner to his property especially when it is vacant for an extended period of time.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$11, 200.00 (eleven thousand two hundred dollars).

IT IS FURTHER ORDERED that \$10,250.00 of the \$11,200.00 civil penalty be suspended, with an immediate \$750.00 fine imposed at this time.

IT IS FURTHER ORDERED that Baltimore County be authorized to send a contractor onto the property for the purposes of cleaning same and removing all items on the grounds that are not in compliance with applicable County Code standards.

IT IS FURTHER ORDERED that the remaining \$10,250.00 will be imposed if the property is not otherwise brought into compliance within 45 days for any violations related to the property that are not resolved by the county authorized contractors as noted above.

IT IS FURTHER ORDERED that the remaining \$10,250.00 will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 4th day of May 2011

Signed: Original Signed 5/4/11
Lawrence M. Stahl
Managing Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.

LMS/jaf